

Town of Framingham Planning Board Meeting November 18, 2003

In attendance are Helen Lemoine, Chairperson, Larry Marsh, Vice Chairperson, Ann Welles, Clerk, Tom Mahoney and Carol Spack.

Also present is Jay Grande, Planning Administrator and Carol Pontremoli, Administrative Assistant.

Meeting was called to order at 7:40 pm

I. Miscellaneous Administration

BJ's Wholesale Club, Inc. document # 2017-03

Helen asked everyone to read the document and give their comments.

Larry Marsh made a motion to accept the application for BJ's Wholesale Club, Inc.

Ann Welles seconded the motion

Voted 5 approve and 0 oppose

Ann Welles made a motion to have Jay release the bond for 31-45 New York Avenue

Larry Marsh seconded the motion

Voted 5 approve and 0 oppose

Ann Welles made a motion to extend the temporary occupancy permit for Wal-Mart and extend it for 30 days.

Jay noted he will need a performance review

Larry Marsh seconded the motion

Voted 5 approve and 0 oppose

Ann Wells made a motion to extend the temporary occupancy permit for Kohl's and have it extended until January 15th

Tom Mahoney Seconded

Voted 5 approve to 0 oppose

Public Hearing for Definitive Subdivision Plan Review Approval and Public Way Access Permit, Derby Street Extension, 0 Danforth Street and 133 S Meadow Street

Helen read the notice into the record. Documents #2007 and #2012

In attendance are Peter Barbieri, attorney; Doug Strauss National Development and Michael Tucker, VHB

Doug Strauss gave an overview where they propose to build 10 new homes with a 60 foot right away. They propose to match the existing design criteria on Derby Street with the only change would be the existing right away which is only 40 feet. All lots meet the minimum lot criteria. There is a 10 foot pedestrian/emergency access between lots 6 and 7.

Larry asked about the access on Riverpath. What would happen if the court denied access? Peter is hoping there will not be any issues and is recognizing the use. Jay looked at the special permit and found Derby Street precludes this. Doug is looking at an emergency access going north.

Ann wanted to know if there would be a crash gate at the PUD. Ann's understanding is to have the houses sprinklered? Doug Strauss thought this would be a deterrent. Helen noted there is a letter in the packet from the Fire Department and it recognizes this is a dead end.

Peter noted they do not meet the slope of the sewer and changes had been made. Ann asked if Doug or Mike would explain the buffer arrangements between houses. Doug noted the Aerial photo looks denser. The real issue is the Western lots. He pointed out that it impacts two lots. They tried to show a no cut zone. Mike noted if they went back to the 40 foot right-of-way could pull houses away. Engineering would be willing to go along with this as long as there were easements.

Carol asked about an extra long dead end street. She has two concerns about the relationship to the abutting land. If there is going to be a 10 foot connector, how would it affect the sidewalk and pedestrians. Carol urges the Planning Board to request for the record on this application that the materials used on this site be clean with regards to the garage on the southern part of the subdivision. Mike noted they went before the Selectmen and is with working with DPW and other groups for the last month and a half. The Selectmen voted unanimously not to require further assessment based on the results.

Ann asked if they would be willing to put in a crosswalk and handicapped accessible with ADA.

Jay asked about the maintenance of the drainage system and what is the life expectancy of this system.

Mike is comfortable with the system and notes this is the same system as what is already on Derby Street. They are just carrying it forward to the Subdivision. The town has never had any trouble with the system.

Larry will feel more comfortable if they called the Engineering Department to check out the system. Jay asked about looping the system.

Mike is proposing to tie in one end of Derby Street and down the other and to tie into the system to Meadow Street.

Helen asked Jay what the process will be in going forward. He feels it would be appropriate to draft a decision including the findings.

Larry asked about other waivers besides the 500 foot length. Peter read a list of the other waivers he would be requesting.

The first would be the length of road and road width; the sidewalk and lay out on one side; two foot grass strip; vertical granite curbing; Cape Cod Berm with the exception of the cul-de-sac and inlets for the island; and the slope of the sewer.

Helen asked to address how much time they would need to receive the information.

The hearing will be continued until Tuesday, December 23, 2003 at 8:00 pm.

Administrative

Dunkin Donuts, Worcester Road

Jay received a letter dealing with lighting conduit with a plan.

Ann mentioned Baystate and the issue of over lighting. She would like to remind the Board of this item.

Jay noted the frame and roof still exists. Larry seems to remember a site plan to process the required less than 40%. Larry asked Jay to look at the Regulations and the value of the improvements.

Continued Public Hearing for Definitive Subdivision Plan Review Approval and Public Way Access Permit, Brookbury, 97 Brook Street

In attendance are Fermo Bianchi, Joe Sullivan, McCarthy and Sullivan Engineering

Helen noted tonight's meeting is to go over some issues from the DPW.

Helen suggested going over each item. She asked for document 1075-03.

Helen asked Joe Sullivan to go over the items which DPW has questioned and respond.

In the first item, Joe will remove the words Town of Framingham from the plans

The Fire Department is requiring the water line be looped. There is a fire hydrant on Brook Street and they are proposing an extra hydrant to blow off the line.

All of the storm water from the subdivision is taken into the drainage system and recharged completely.

The Church currently has parking spaces for 747. The law requires 1 space for every two employees. Essentially they will need 97 spaces and the plan exceeds that capacity.

Joe tried to reach Paul Josephson, Engineering Department regarding sewage and the manhole. There is a huge tree where Paul Josephson would like the sewer. The tree root needs to be cut so as to be able to remove the manhole cover.

There is a question of grass strips.

Joe agrees to numbers 9, 10, 11 and 12

Helen suggested Joe, Jay and the Fire Dept to meet to discuss the fire hydrant and the looping of the water lines.

Carol asked Joe about water run off across the street from the church.

Joe Sullivan noted there is a catch basin on the opposite side of the street from the church. Jay will send an e-mail to DPW to have them check.

Carol would like to suggest a pedestrian footpath leading from the site to the aqueduct.

The Planning Board feels there are posted signs for no trespassing.

Carol would like to note that Beal's and Thomas did a study on walking paths. Jay would need to prioritize the areas first.

Helen would like to reiterate that Joe will settle the Fire Department issue and the few issues for DPW.

Ann asked about the street trees. Joe Sullivan read off a list.

Carol wants to address protecting the existing trees and the substantial growth and would like see trees on the plans.

Jay would like an extension. Helen suggested this meeting to be continued to December 16 at 9:30 pm. She also asked Jay to start to draft a decision.

Continued Public Hearing, Special Permit for OSRD, Definitive Subdivision Plan Review Approval, Modification to a Scenic Road, and Public Way Access Permit, Ford's Meadow, 45 Nixon Road

The Applicant has requested a continuation. Helen officially accepted the continuation for Ford's Meadow until December 16 at 7:15 pm

Administration

6 Wayside Circle- Eaton Property

Jay gave an update of this home under construction. He has not been able to investigate his question in his memo with the Board of Health Agent. There is an approval and letter raised a question as to the thresholds of the building permit and the policy on deferring those issues. Doc 2014-03.

The Arcade

Jay had a meeting regarding the Arcade and the sewer system. He understands it is at capacity in terms of the flow. During a storm there are spikes and overflow. It is a development issue and the Arcade will need to struggle with this. Larry feels the Planning Board needs to address this issue. Tom explained the old systems tend to be leaky. He feels that roof drains are connected to the sewer. Larry doesn't feel it fair to have one project get stuck with the cost. It could run \$1000 to \$2000 per linear foot. Ann would like to get a written evaluation from DPW to get a synopsis of what the sense of priority would be.

Sue Bernstein gave an observation regarding a sewer study. She feels the planning board should continue with the study. Tom Mahoney feels they should get information from DPW. Helen asked Jay if he would set up a meeting with DPW for about half an hour. Tom asked if Jay would include a traffic study on intersections.

Larry wanted to know if the applicant knew there is a study. Jay would let them know.

Jay has some administrative items.
Signing of Brimstone Plan

Submittal of budget proposal. Jay put together document 2-013 and would like to go over a couple of items. He feels they have done very well with predicting the use of general supply lines, printing lines. We have been very accurate with the revenue lines. The summary sheet and Jay notes that finance is reporting old numbers and do not reflect what was adopted by Town Meeting for this current fiscal year. He feels it is important to correct the numbers so it does not look like there was a drastic change. Carol Pontremoli was hired and is receiving a slightly higher wage and the overtime account has been increased. Under operating expenses they are lumping printing and consulting together. These need to be separated. Staffing levels needs to be increased. Jay needs help to fulfill his job description as well as Carol learning and taking on more responsibilities. Jay feels very strongly that increase of funding needs to be increased and notes there is no down time. He would like to make it clear to everyone.

Larry would like some clarification for the reason we are having a problem. Is this due to changes that the Planning Board agreed to or is it with changes that they did not agree to? He did not envision the ZBA workload to be what it is. He feels that filing and access to documentation is crucial to any litigation that may come along. The part time planner position gave some support to Jay to free his time.

Carol Spack would like to add to Larry's comments and notes there is an overflow of work and would also like to get back the planner's position. She would like to see what other comparable towns have for staff.

Larry notes this is the only board that generates funds for the town. We generally bring in \$1,000,000 in revenue from fees and mitigation. We are the only board that meets every week. Tom made a comment on how projects can be approved if we don't perform.

Kathy Vassar, Precinct

Commented on the tremendous workload and has seen in other smaller towns with much larger staff. She feels Jay's workload is too high and would like to see the office close for a period of time during the week to allow some time for the staff to get caught up.

Jay will reflect the Board's comments and hopes others will understand our situation. The Board is in the consensus and would back Jay up.

Ann noted the notice will be coming out on the Gates House in the Boston Globe. She would like an update on Nexum. They have a date of December 8th in the P&Z. Ann notes it has been incredibly difficult not to have access to Donna Jacobs. She would like to bring back affordable housing again but would need Donna.

Helen would like Ann to explain what the drafting committee needs. The Planning Board will need to select two people as well as P&Z. Helen would like to send invitations to P&Z. She asked if the Board would agree to keep Ann Welles and Carol Spack as the Planning Board's selection for the committee on the housing partnership.

Larry made a motion to nominate Carol Spack and Ann Wells to the Housing Committee.
Tom Seconded
Voted 5 approve and 0 opposed

Ann would like to know about the GZA consultant? She also asked about Peter Baril. Jay reported that Peter received the questions from Sue Bernstein and Peter is in the process of addressing them. Peter would also like to note that there is a budget and would like to acknowledge that questions but stay within the budget constraints.

Helen feels Sue's questions are a good idea and felt that some have already been answered. She would like to see Peter at the next meeting. Tom feels that Peter could answer these questions with bullet points. Some may need to have expanded answers. Helen would not recommend receiving questions in writing and then turning them over to a 593 consultant. Any one submitting questions, should send them to Jay and then give to the Planning Board to ask.

Larry has asked Jay to go back to Fenwick Group and redesigns. Jay thinks the comments on Fenwick Street regarding the road have raised concerns. Jay said the applicant seems reluctant to some of the comments.

Jay would like to see a hybrid approach and we have an opportunity to bring the Scenic Road Access back to Fenwick Street.

Carol would like to be nominated to produce a time management plan. Helen has no problem if Carol would like to do this but she has some serious issues on some topics on her proposal. She feels limiting speakers to a time limit is wrong. Ann has misgivings also. She would like not to limit the conversation.

Carol's defense was there should be guidelines to show how we can make it better. Helen noted that she and Larry had a conversation and Larry came up with some guidelines also. He notes that if a hearing is scheduled for an hour the Board should take a vote to extend the hearing longer. Larry would like to see Carol Spack get more information on Town's that are comparable and find out how they run their meetings.

Tom is all for limiting time for these meetings. They make for very long days. He would like to ask the applicant how much time he/she needs and schedule it according. Ann is very nervous about having the board's time limited.

Kathy Vassar agrees with Ann – no one like to see these meetings drag on with the exception of the applicant who is in front of the Board.

Kathie McCarthy Precinct 10 feels it very difficult to stay awake watching these proceedings only to fall asleep and realize the hearing they have been waiting for was missed. The public has no idea when things are going to come about and the public can miss items of importance.

Jay agrees and wonders what needs to be discussed. Do all administrative issues need to be spoken at every week's meeting?

Helen notes that Kathie McCarthy's statement is true. Kathy Vassar has a valid point also.

Kathie McCarthy, Precinct 10

Feels the administrative items are discussed at various times during the meetings and it would be helpful to keep them together at the same time.

Sue Bernstein – the selectmen's meetings have no time and agenda

It would be helpful if the Zoning Board of Appeals and Planning Board met on different nights.

Carol Spack had a question which pertains to Temple St and Route 9. She asked why the easement was taken from a dentist on Old Worcester Road. Jay noted the 9/90 improvement read that Boston Properties take the land as an easement.

Kathie McCarthy, Precinct 10 wanted to know when asked for a review they were told it was a done deal. The dentist held out. This board needs to connect with the abutters so they understand what the board is doing.

Larry made a motion to adjourn

Carol Seconded

Voted 5 approve 0 oppose

Meeting adjourned at 11:30 pm

Respectfully submitted,

Carol A. Pontremoli
Recording Secretary

****THESE MINUTES WERE APPROVED WITH AMENDMENTS AT
THE PLANNING BOARD MEETING OF JUNE 29, 2004**

Thomas Mahoney, Chairman